

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FISHER,

No. C-05-02774 CW (EDL)

Plaintiff,

**ORDER DENYING PLAINTIFF'S  
MOTION TO COMPEL**

v.

CITY OF PITTSBURG, et al.,

Defendants.

---

On December 4, 2007, Plaintiff filed a motion to compel responses to requests for production of documents and interrogatories, and Defendants opposed the motion on December 18, 2007. Plaintiff failed to file the discovery requests and responses that are the subject of his motion as required by Civil Local Rule 37-2. On January 7, 2008, the Court ordered Defendants to file with the Court and serve on Plaintiff a copy of Plaintiff's first set of interrogatories, Plaintiff's requests for production of documents and Defendants' responses to this discovery. The Court also ordered Plaintiff to file a supplemental statement in support of his motion to compel no later than January 25, 2008 specifically stating which particular discovery requests are at issue and why he believes responses are necessary, and gave Defendants leave to file a response no later than February 1, 2008.

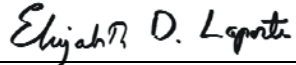
Plaintiff did not file a supplemental statement in response to the Court's Order. Because the Court was concerned that Plaintiff may not have received notice of the January 7, 2008 Order, the Court gave Plaintiff one more chance to file a supplemental statement in accordance with that Order. Plaintiff again failed to file a supplemental statement by the court-ordered deadline of February 25,

1 2008. On March 3, 2008, Defendants filed their response stating that they had not received a  
2 supplemental statement from Plaintiff.

3 Because Plaintiff has failed to inform the Court as to which specific discovery requests are at  
4 issue in his motion to compel, the Court is unable to determine whether he is entitled to relief  
5 pursuant to his motion to compel. Therefore, the motion to compel is denied without prejudice. If  
6 Plaintiff chooses to re-file his motion to compel, he should set forth the specific discovery requests  
7 that are still at issue as well as the basis for his contention that he is entitled to the discovery  
8 requested. See Civil L.R. 37-2.

9 **IT IS SO ORDERED.**

10 Dated: March 5, 2008

11   
12 ELIZABETH D. LAPORTE  
13 United States Magistrate Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28